APPENDIX A

LIST OF COMMENTERS

Initial Comments

A&E Television Networks, Inc and the Courtroom Television Network LLC ("A&E")
American Cable Association ("ACA")
BellSouth Corporation ("BellSouth")
Broadband Service Providers Association ("BSP")
Coalition of Small Video Operators ("Coalition")
Comcast Corporation ("Comcast")
Consumer Electronics Association ("CEA")
Consumer Electronics Retailers Coalition ("CERC")
Cox Communications, Inc. ("Cox")
DIRECTV, Inc. ("DirecTV")
National Cable Television Association ("NCTA")
National Rural Telecommunications Cooperative ("NRTC")
Paxson Communications Corporation ("Paxson")
Quest Communications International Inc. ("Qwest")
RCN Corporation ("RCN")
Rural Independent Competitive Alliance ("RICA")
Satellite Broadcasting and Communications Association ("SBCA")
Time Warner Cable ("Time Warner")
W.A T.C.H TV Company ("W.A.T.C.H. TV")

Reply Comments

Comcast Corporation ("Comcast")
Consumer Electronics Association ("CEA")
Consumer Federation of America Consumers Union, Center For Digital Democracy Common Cause, Center For The Creative Community, United Church of Christ, Office of Communications, INC., U.S. Prig, The Association of Independent Video and Filmmakers, The National Alliance For Media Arts and Culture, and The Media Access Project ("CFA")
DIRECTV, Inc. ("DirecTV")
Fox Entertainment Group, Inc. and Fox Television Stations, Inc.; National Broadcasting Company, Inc. and Telemundo Communications Group, Inc; Viacom, and the Walt Disney Company and The ABC Television Network ("Broadcast Networks")
iN DEMAND L.L.C. ("iN DEMAND")
National Association of Broadcasters ("NAB")
National Cable & Telecommunications Association ("NCTA")
National Rural Telecommunications Cooperative ("NRTC")
Organization for the Promotion and Advancement of Small Telecommunications Companies ("OPASTCO")
Paxson Communications Corporation ("Paxson")
RCN Corporation ("RCN")
SES Americom, Inc. ("SES")

APPENDIX B
TABLE B-1
Assessment of Competing Technologies[i]

Technology Used	Dec. 93	June 98	June 01	June 02	June 03
(1) TV Households	94,200,000	98,000,000	102,184,810	105,444,330	106,641,910
Percent Change	1.18%	1.03%	1.37%	3.19%	1.14%
(2) MVPD Households[ii]	60,283,000	76,634,200	87,830,074	89,890,641	94,150,000
Percent Change	4.79%	4.06%	4.60%	2.35%	4.74%
Percent of TV Households	63.99%	78.20%	86.42%	85.25%	85.25%
(3) Cable Subscribers	57,200,000	65,400,000	68,500,000	68,800,000	70,490,000
Percent Change	3.62%	1.95%	1.18%	0.04%	2.46%
Percent of MVPD Total	94.89.%	85.34%	77.99%	76.54%	74.87%
(4) MMDS Subscribers	397,000	1,000,000	700,000	490,000	200,000
Percent Change	22.91%	-9.09%	0.0%	-30.00%	-59.18%
Percent of MVPD Total	0.66%	1.30%	0.80%	0.55%	0.21%
(5) SMATV Subscribers	1,004,000	940,000	1,500,000	1,600,000	1,200,000
Percent Change	2.03%	-19.14%	0.0%	6.67%	-25.00%
Percent of MVPD Total	1.67%	1.23%	1.71%	1.78%	1.27%
(6) HSD Subscribers	1,612,000	2,028,200	1,000,074	700,641	502,191
Percent Change	57.58%	-7.15%	-32.28%	-29.94%	-28.32%
Percent of MVPD Total	2.67%	2.65%	1.14%	0.78%	0.53%
(7) DBS Subscribers	<70,000	7,200,000	16,070,000	18,240,000	20,360,000
Percent Change		42.66%	23.74%	13.66%	11.62%
Percent of MVPD Total	0.12%	9.40%	18.30%	20.29%	21.63%
(8) OVS Subscribers[iii]	0	66,000	60,000	60,000	60,000
Percent Change		2100.00%	0.0%	0.0%	0.0%
Percent of MVPD Total		0.09%	0.07%	0.07%	0.01%
(9) BSP Subscribers[iv]					1,400,000
Percent of MVPD Total					1.49%

Notes:

(i) Some numbers have been rounded.

(ii) The total number of MVPD households is likely to be somewhat less than the given figure since some households subscribe to the services of more than one MVPD. *See 1994 Report,* 9 FCC Rcd at 7480. However, the number of households subscribing to more than one MVPD is expected to be low. Hence the given total can be seen as a reasonable estimate of the number of MVPD households.

(iii) The decline in OVS subscribers since 1998 reflects the conversion of portions of some OVS systems to franchised cable systems over the last three years.

(iv) Beginning this year, we will report broadband service provider ("BSP") Subscribers, but we are unable to provide a growth rate from previous years due to lack of data. This number includes some, if not all, OVS subscribers, and may double count some cable subscribers from newer cable overbuild systems. Beginning next year, this figure will replace the OVS subscriber number.

Sources:

(1) Television households. 1994 from A.C Nielsen Co. cited by Veronis, Suhler & Associates, *Homes Passed by Cable and Incidence of Subscription,* The Veronis, Suhler & Associates Communications Industry Forecast, July 1995, at 145, 1998 from Nielsen Media Research as cited in Broadcasting & Cable, June 29, 1998, at 70, and 2001 - 2003 from Nielsen Media Research

(2) Total MVPD households The sum of the total number of subscribers listed under each of the categories of the various technologies. See note (ii) above.

(3) Cable subscribers 1993 from Paul Kagan Associates, Inc., *History of Cable and Pay-TV Subscribers and Revenues,* Cable TV Investor, June 30, 1995, at 5; 1998 from Paul Kagan Associates, Inc., *Paul Kagan's 10-Year Cable TV Industry Projections,* Cable TV Investor, August 10, 1998, at 4; 2001 from Kagan World Media, *Kagan's 10-Year Cable TV Industry Projections,* Broadband Cable Financial Databook 2001, July 2001, at 10; 2002 from Kagan World Media, *Kagan's 10-Year Cable TV Industry Projections,* Broadband Cable Financial Databook 2002, July 2002, at 10, and 2003 from NCTA Comments at 8.

(4) MMDS subscribers· 1993 from Paul Kagan Associates, Inc., *Wireless Cable Industry Projections, 1992-2002,* The 1995 Wireless Cable Databook, Jan. 1995, at 23; 1998 estimated by the FCC; 2001 from NCTA Comments for the *2001 Report* at 7, 2002 from NCTA Comments for the *2002 Report* at 12; and 2003 from NCTA Comments at 8

(5) SMATV subscribers. 1993 from *Cable & Pay TV Census – December,* Marketing New Media, Dec. 19, 1994, at 4; 1998 from NCTA Comments for the *1998 Report* at 6, 2001 from NCTA Comments for the *2001 Report* at 9, 2002 from NCTA Comments for the *2002 Report* at 12; and 2003 from NCTA Comments at 8.

(6) HSD subscribers. 1993 from *Subscription Data from General Instrument* (Chart), SkyReport, Oct 1994, at 21; 1998 from SkyReport.com, at http://www.skyreport com/dth_us htm, 2001 from SBCA Comments for the *2001 Report* Table 1 at 4, 2002 from SkyReport.com, at http.// www.skyreport.com/dth_us.htm; and 2003 from SBCA Comments at 4.

(7) DBS subscribers 1993 from *Let the Games Begin,* SkyReport, May 1994, at 2; 1998 from Minal Damani and Jennifer E. Sharpe, *US DBS Marketplace 1998,* The Strategis Group, July, 1998 at 6; 2001 from SBCA Comments for the *2001 Report,* Table 1 at 4; 2002 from SkyReport.com, at http://www.skyreport.com/dth_us.htm, and 2003 from SBCA Comments at 4.

(8) OVS subscribers· Estimated by the FCC

(9) .BSP subscribers· NCTA Comments at 8.

TABLE B-2
Number and Subscriber Size of Major Cable System Clusters
(Cumulative Figures)

Range of Clustered Subscribers (thousands)	1994*		1998		2001		2002	
	Clusters	Subscribers (millions)	Clusters	Subscribers (millions)	Clusters	Subscribers (millions)	Clusters	Subscribers (millions)
100-199	58	8.0	33	4.6	30	4.3	31	4.5
200-299	26	6.0	25	6.3	17	4.2	18	4.4
300-399	6	2.0	20	6.7	18	6.1	21	7.1
400-499	3	1.3	7	3.2	10	4.4	10	4.4
>500	4	2.8	21	19.6	32	33.3	29	31.0
Total	97	20.1	106	40.4	107	52.3	109	51.3

Sources:

Paul Kagan Associates, Inc., *Major Cable TV Systems/Clusters*, The Cable TV Financial Databook, 1995, at 38-39, 1999, at 46-48; 2001 from Kagan World Media, *Major Cable TV Systems/Clusters*, Broadband Cable Financial Databook 2002 at 38; and 2002 from Kagan World Media, *Major Cable TV Systems/Clusters*, Broadband Cable Financial Databook 2003, at 39

* We did not report this information for 1993. 1994 is the first year we tracked these numbers.

TABLE B-3
2003 Concentration in the National Market for Purchase of Video Programming[1]

Rank	Company	Percent of Subscribers[2]
1	Comcast	22.69
2	DirecTV	12.32
3	Time Warner	11.62
4	EchoStar	9.35
Top 4		55.98
5	Charter	6.87
6	Cox	6.67
7	Adelphia	5.43
8	Cablevision	3.15
Top 8		78.10
9	Bright House	2 19
10	Mediacom	1.66
Top 10		81.95
Top 25		87.45
Top 50		89.29
	HHI	1031[3]

Notes:

(1) MSO subscriber totals as of June 2003, and reported in Top Cable System Operators as of June 2003, Kagan World Media, *Cable TV Investor,* Oct 31, 2003, at 12-13. There is no double counting of subscribers. If a cable operator is partially owned by more than one MSO, its subscribers are assigned to the largest MSO. For DirecTV and EchoStar subscribers, *see* Hughes Electronics Corp., *SEC Quarterly Report Form 10-Q Pursuant to Section 13 of 15(d) of the Securities Act of 1934 for the Quarterly Period Ended June 30, 2003 ("Hughes 2nd Quarter 2003 10-Q"),* at 37; EchoStar Communications Corp., *SEC Quarterly Report Form 10-Q Pursuant to Section 13 of 15(d) of the Securities Act of 1934 for the Quarterly Period Ended June 30, 2003*, at 20.

(2) The total number of MVPD subscribers used to calculate the HHI is 94,150,000 from Table B-1.

(3) The HHI is calculated on the basis of market shares for the top 62 companies. Because all of the remaining MVPDs have very small shares of the market, an HHI calculation that included all cable system operators could only be slightly higher (no more than 2-3 points) than the given HHI.

TABLE B-4
Concentration in the National Market for the Purchase of Video Programming

Market Share	Percent of MVPD Subscribers				
	1993	1998	2001	2002	2003
Top Share	24.30	26.48	16.44	14.75	22.69
Top 2	36.90	42.62	30.79	29.04	35.01
Top 3	42.30	48.94	42.11	41.03	46.63
Top 4	47.20	54 63	51.64	50.48	55.98
Top 10	63.20	71.04	84.29	84.44	81.95
Top 25	83.10	80.99	89.70	90.26	87.45
Top 50	93.10	86.08	91.38	92.05	89.29
HHI	880	1096	905	884	1031

Sources:

Data for 1993 through 2002 were taken from *Reports, 1995-2002*. Data for 2003 are from Table B-3.

APPENDIX C
TABLE C-1
MSO Ownership in National Video Programming Services

Programming Service	Launch Date	MSO Ownership (%)
Action Max	Jun-98	Time Warner (100)
American Movie Classics (AMC)	Oct-84	Cablevision (60)
Animal Planet	Oct-96	Liberty Media (39.2), Cox (25)
@Max	May-01	Time Warner (100)
Black STARZ!	Feb-97	Liberty Media (100)
Canales ñ (6 digital channels)*	Aug-98	Liberty Media (90)
Cartoon Network	Oct-92	Time Warner (100)
Cinemax	Jun-98	Time Warner (100)
CNN	Jun-80	Time Warner (100)
CNN En Español	Mar-97	Time Warner (100)
CNN Headline News	Jan-82	Time Warner (100)
CNN International	Jan-95	Time Warner (100)
CNNfn	Dec-95	Time Warner (100)
Comedy Central	Apr-91	Time Warner (50)
Court TV	Jul-91	Liberty Media (50) Time Warner 50)
Discovery Channel	Jun-85	Liberty Media (50), Cox (25)
Discovery En Español	Oct-98	Liberty Media (50), Cox (25)
Discovery Health	Jul-98	Liberty Media (44.1), Cox (25)
Discovery HD Theatre	Jun-02	Liberty Media (50), Cox (25). Comcast (20)
Discovery Home & Leisure	Oct-96	Liberty Media (50), Cox (25)
Discovery Kids	Oct-96	Liberty Media (50), Cox (25)
Discovery Times (formerly Discovery Civilization)	Oct-96	Liberty Media (50), Cox (25)
Discovery Wings: The Aviation and Adventure Network	Jul-98	Liberty Media (50), Cox (25)
E! Entertainment	Jun-90	Comcast (50)
Encore	Apr-91	Liberty Media (100)

*Canales ñ, Liberty Media's digital package of Spanish-language channels, consists of FoxSportsAmericas, CBS Telenoticias, CineLatino, BoxTejano, BoxExitos, and Canal 9.

Programming Service	Launch Date	MSO Ownership (%)
Encore Action	Sep-94	Liberty Media (100)
Encore Love Stories	Jul-94	Liberty Media (100)
Encore Mystery	Jul-94	Liberty Media (100)
Encore True Stories	Sep-94	Liberty Media (100)
Encore WAM! America's Youth Network	Sep-94	Liberty Media (100)
Encore Westerns	Jul-94	Liberty Media (100)
5StarMax	May-02	Time Warner (100)
Fox Sports World en Espanol	Feb-99	Liberty Media (10.6)
Fuse (formerly Much Music USA)	Jul-94	Cablevision (60)
Fuse On Demand	Jun-03	Cablevision (60)
G4 Video Gaming Network	Jun-02	Comcast (94)
Game Show Network	Dec-94	Liberty Media (50)
Golf Channel	Jan-95	Comcast (99)
Hallmark Channel	Sep-98	Liberty Media (32.5)
HBO (Home Box Office)	Nov-72	Time Warner (100)
HBO Latino	Nov-00	Time Warner (100)
HBO 2	Oct-98	Time Warner (100)
HBO Signature	Oct-98	Time Warner (100)
HBO Comedy	May-99	Time Warner (100)
HBO Family	Oct-98	Time Warner (100)
HBO Zone	May-99	Time Warner (100)
Health Network	Dec-93	Liberty Media (49), Cox (25)
Home Shopping Network	Jul-85	Liberty Media (20)
iN DEMAND (formerly Viewer's Choice) 35 multiplexed channels	Nov-85	Comcast (50), AOL Time Warner (33), Cox (15)
Independent Film Channel	Sep-94	Cablevision (60)
International Channel	Jul-90	Liberty Media (90)
MoreMAX	Jun-98	Time Warner (100)
MoviePlex	Oct-94	Liberty Media (100)
Outdoor Life Network	Jul-95	Comcast (100)

Programming Service	Launch Date	MSO Ownership (%)
OuterMax	May-01	Time Warner (100)
Ovation The Arts Network	Apr-96	Time Warner (4.2)
QVC	Nov-86	Liberty Media (98)
Science Channel (formerly Discovery Science Channel)	Oct-96	Liberty Media (50), Cox (25)
Sci-Fi Channel	Sept-92	Liberty Media (20)
Starz!	Mar-94	Liberty Media (100)
Starz! Cinema	May-99	Liberty Media (100)
Starz! Family	May-99	Liberty Media (100)
Starz! Theater	Mar-96	Liberty Media (100)
Style	Oct-98	Comcast (60)
TBS	Dec-76	Time Warner (100)
TLC (The Learning Channel)	Nov-80	Liberty Media (50), Cox (25)
Thriller Max	Jun-98	Time Warner (100)
TNT (Turner Network Television)	Oct-88	Time Warner (100)
Travel Channel	Feb-87	Liberty Media (50), Cox (25)
Turner Classic Movies	Apr-94	Time Warner (100)
USA Network	Apr-80	Liberty Media (20)
WE	Jan-97	Cablevision (60)
WMAX	May-01	Time Warner (100)

Sources:

NCTA, *Directory of Program Services*, Cable Developments 2003, at 43-174.
Liberty Media Corp., at http://www.libertymedia.com/our_affiliates/video_programming.htm.
iN DEMAND, at http://indemand.com/about/who.jsp.
CABLEFAX DAILY, April 9, 2003, at 1.
Kagan World Media, *Cable Networks*, Media Mergers & Acquisitions 2003, at 73-77.

TABLE C-2
National Video Programming Services
Not Affiliated With a Cable Operator

Programming Service	Launch Date
A&E (Arts & Entertainment)	Feb-84
ABC Family (formerly Fox Family Channel)	Apr-77
ACNTV (America's Collectibles Network)	Oct-93
America's Store	Sep-86
ANA Television Network	Dec-91
ART (Arab Radio & Television)	1999
BBC America	Mar-98
BET	Jan-80
BET Gospel	Jul-02
BET Hip Hop	Jul-02
BET Jazz: The Jazz Channel	Jan-96
Biography Channel	Nov-98
Black Belt TV: The Martial Arts Network	Jun-02
Bloomberg Television	Jan-95
B Mania	Nov-00
Bravo	Dec-80
Buzztime Entertainment	1984
Canal Sur	Aug-91
CCTV-4 (China Central Television)	1995
Celtic Vision	1995
Church Channel	Jan-02
Classic Arts Showcase	May-94
CMT (Country Music Television)	Mar-83
CNBC	Jul-89
CNBC World	Apr-89
College Entertainment Network	Jan-97
Crime Channel	Jul-96
C-SPAN*	Mar-79
C-SPAN2*	Jun-86
C-SPAN3*	Sep-97
CSTV (College Sports Television)	Apr-03
Deep Dish TV	Jan-86

Programming Service	Launch Date
Destiny Channel	Dec-98
Disney Channel	Apr-83
Do-It-Yourself Channel	Dec-94
Dream TV Network	Dec-94
Ecology Communications	Nov-94
ESPN	Sep-79
ESPN Classic Sports	May-95
ESPN2	Oct-93
ESPN EXTRA (formerly ESPN Now)	Jun-01
ESPN HD	Mar-03
ESPNEWS	Nov-96
EWTN: Global Catholic Network	Aug-81
Family Net	May-00
Filipino Channel (ABS-CBN)	Feb-98
Fine Living	Mar-02
Flix	Aug-92
Food Network	Nov-93
Fox Movie Channel	Nov-94
Fox News Channel	Oct-96
Fox Sports Digital Networks	Jun-01
Fox Sports World	Nov-97
FX	Jun-94
Fuel	Jul-03
Free Speech TV (FSTV)	Jun-95
Galavision	Oct-79
Gol TV	Unknown
Golden Eagle Broadcasting	Nov-98
Goodlife Television Network (formerly Nostalgia Channel)	Feb-85
Great American Country	Dec-95
HDNET	Sep-01
HDNET Movies	Jan-03
History Channel	Jan-95
History Channel International	Nov-98
Home & Garden Television	Dec-94
Horse Racing TV	Dec-02

Programming Service	Launch Date
Hot Choice	Jun-86
Hot Net	Mar-99
Hot Zone	Mar-99
HTV	Aug-95
Inspirational Life Television (I-LIFETV)	Jun-98
Inspirational Network (INSP)	Apr-90
Interactive Channel	Nov-93
JCTV	Nov-02
La Familia Network	May-02
Liberty Channel	Sep-01
Lifetime Movie Network	Jul-98
Lifetime Real Women	Aug-01
Lifetime Television	Feb-84
Locomotion Channel	Nov-96
MBC Network	Nov-99
MBC America (MUNHWA Broadcasting Corporation)	Unknown
Meadow Racing Network	Nov-84
MSNBC	Jul-96
MTV Español	Aug-98
MTV Hits	May-02
MTV Jams	May-02
MTV Latin America	Oct-93
MTV: Music Television	Aug-81
MTV 2	Dec-98
Mun2	Oct-01
My Pet TV	Sep-96
NASA Television	Jul-91
National Geographic Channel	Jan-01
National Jewish Television	May-81
N.B.A TV	Nov-99
Newsworld International	Sep-94
NFL Network	Nov-03
Nickelodeon's TV Land	Apr-96
Nick 2	May-98

Programming Service	Launch Date
Nickelodeon Gas-Games & Sports Network	Mar-99
Nickelodeon/Nick at Nite	Apr-79
Nicktoons	Jan-99
Noah's World International	May-03
Noggin	Feb-99
Oasis TV	Sep-97
Outdoor Channel	Apr-93
Oxygen Media	Feb-00
Pax TV	Aug-98
Playboy TV	Nov-82
Pleasure Channel	Jun-99
Praise Television	Dec-96
Proto X	1997
Puma TV	1997
RAI International	1999
Russian Television Network of America	Aug-00
Rx Channel	May -03
Saigon Broadcasting Network	Feb-02
SCOLA	Aug-87
Shop at Home	Jun-86
Shop NBC	Oct-91
Short TV	Jan-99
Showtime	Jul-76
Showtime Beyond	Sep-99
Showtime Event Television (SET)	1979
Showtime Extreme	1998
Showtime Family Zone	Mar-01
Showtime Next	Mar-01
Showtime Showcase	Jul-01
Showtime Too	2001
Showtime Women	Mar-01
Skyview World Media	1992
S / Networks	May-03
Sorpressa	Mar-03

Programming Service	Launch Date
SoapNet	Jan-00
Speed Channel	Jan-96
Spice 1	May-89
Spice 2	Unknown
Spike TV (formerly the National Network)	Mar-83
Sportsman Channel	Apr-03
Sun TV	Aug-96
Sundance Channel	Feb-96
Sur	Aug-91
TBN (Trinity Broadcasting Network)	May-73
Tech TV	May-98
Telefutura	Jan-02
Telemundo	Jan-87
Telemundo Internacional	Mar-00
The Erotic Network (TeN)	Sep-98
TeN on Demand	Mar-99
TeN BLOX	Jan-03
TeN Blue	Jan-03
TeN Blue Plus	Jan-03
TeN Clips	May-00
TeN Max	Oct-02
Tennis Channel	May-03
Tenxsty	Feb-98
TFN (The Football Network)	Sep-03
TMC (The Movie Channel)	Dec-79
True Blue	Feb-98
Toon Disney	Apr-98
Totally Broadway TV	Jun-02
Totally Hollywood TV	Jun-02
TRIO	Sep-94
TV 5 – USA Inc.	Jan-98
TV Asia	Jul-91
TV Games Network	Jul-94
TV Japan	Jul-91
TVN Entertainment Corporation (33 digital pay-per-view channels)	Feb-98

Programming Service	Launch Date
TVN Direct	Jan-96
TV Guide Channel	Jan-88
TV Guide Interactive	Oct-96
UBC (Urban Broadcasting Company)	Apr-03
Univision	Sep-96
UVTV/KTLA	Mar-98
UVTV/WPIX	May-84
USA Network	Apr-80
VH1 (Music First)	Jan-85
VH1 (Classic)	May-00
VH1 Soul	Aug-98
VHI Country	Aug-98
VH1 Megahits	May-02
VH UNO	Nov-99
Video Rola	Jan-01
Vivid TV	Mar-99
Weather Channel	May-82
Weatherscan	Oct-99
WGN	Nov-78
Wisdom Television	Jul-97
Word Network	Feb-00
Worship Network	Sep-92
ZEE TV	1999
Zhon Tian Channel (formerly Power TV Zhon Tian Channel)	1995

* C-SPAN derives 97% of its revenues from affiliate fees (*i.e.*, subscriber fees from MVPDs). The remaining three percent is provided by various investments. Affiliates have no ownership or program control interests in C-SPAN.

Sources:
NCTA, *Directory of Cable Networks*, Cable Developments 2003, at 43-174.
SkyReports, *Sports Programming,* THE BRIDGE, Aug.2003, at 11-12.
Richard Sandomir, *3 Cable Systems Will Add N.B.A TV,* THE NEW YORK TIMES, Sept. 29, 2003.
Kagan World Media, *Up-And-Comers 2003,* Cable Program Investor, March 14, 2003, at 5.

TABLE C-3
Regional Video Programming Services

Programming Services	Launch Date	MSO Ownership (%)
Arabic Channel	Apr-91	
Arizona News Channel	Nov-96	Cox (50)
Bay News 9	Sep-97	Time Warner (100)
California Channel	Feb-91	
Casa Club TV	Jul-97	
Central Florida News 13 (CFN 13)	Oct-97	Time Warner (50)
ChicagoLand Television News (CLTV)	Jan-93	
CN8 – The Comcast Network	Oct-97	Comcast (100)
Comcast SportsNet	Oct-97	Comcast (78)
Comcast SportsNet Mid Atlantic	Apr-84	Comcast (100)
Comcast Sports South East	Apr-84	Comcast (72)
County Television Network San Diego	Jul-96	
Cox Sports Television	Oct-02	Cox (100)
Ecumenical Television Channel	1983	
Empire Sports Network	Dec-90	Adelphia (67) Comcast (33)
Florida's News Channel	Sep-98	
Fox Sports Net Arizona	Sep-96	Cablevision (45)
Fox Sports Net Bay Area	Apr-90	Cablevision (45)
Fox Sports Net Chicago	Jan-84	Cablevision (45)
Fox Sports Net Detroit	Sep-97	Cablevision (45)
Fox Sports Net Florida	1989	Cablevision (45)
Fox Sports Net Midwest	Sep-97	
Fox Sports Net New England	Jan-88	Cablevision (30), Comcast (50)
Fox Sports Net New York	1989	Cablevision (45)
Fox Sports Net North	Mar-89	
Fox Sports Net Northwest	Nov-88	
Fox Sports Net Ohio	Feb-89	Cablevision (45)
Fox Sports Net Pittsburgh	Apr-86	
Fox Sports Net Rocky Mountain	Nov-88	
Fox Sports Net South	Aug-90	
Fox Sports Net Southwest	Jan-83	
Fox Sports West	Oct-85	

Programming Services	Launch Date	MSO Ownership (%)
Fox Sports West 2	Jan-97	
Game Bank	Nov-95	
Gwinnet News & Entertainment Television	May-97	
Hip Hop Network	Jan-97	
International Television Broadcasting (ITV)	Apr-86	
Las Vegas One News	Apr-98	
Local News on Cable	Feb-97	Cox (50)
Madison Square Garden Network (MSG)	Oct-69	Cablevision (41.5)
MediaOne News	Dec-95	Liberty Media (100)
Michigan Government Television	Jul-96	
MSG Metro Guide	Aug-98	Cablevision (80)
MSG Metro Learning Channel	Aug-98	Cablevision (80)
MSG Metro Traffic and Weather	Aug-98	
Neighborhood News	Unknown	Cablevision (75)
New England Cable News	Mar-92	Comcast (50)
New England Sports Network (NESN)	Mar-84	
New York 1 News (NY1 News)	Sep-92	Time Warner
NY 1 Noticias	Jun-03	Time Warner
News 12 Connecticut	Jun-95	Cablevision (75)
News 12 Long Island	Dec-86	Cablevision (75)
News 12 New Jersey	Mar-96	Cablevision (75)
News 12 Bronx	Jun-97	Cablevision (75)
News 12 Westchester	Nov-95	Cablevision (75)
News 8 Austin	Sep-99	Time Warner
News Channel 5+	Sept-96	
News 14 Carolina	Jun-02	Time Warner
News Now 53	Jun-97	Cox (50)
News on One	Oct-97	Cox (50)
News Watch 15	Oct-99	Cox (50)
Newschannel 8	Oct-91	
NGTV (National Greek Television)	Dec-87	
Nippon Golden Network	Jan-82	
North West Cable News (NWCN)	Dec-95	
Ohio News Network	May-97	

Programming Services	Launch Date	MSO Ownership (%)
Orange County Newschannel (OCN)	Sep-90	
PASS Sports (Pro-Am Sports System)	Apr-84	
Pennsylvania Cable Network (PCN)	Sep-79	
Pittsburgh Cable News Channel (PCNC)	Jan-94	
Rarities Exchange	Dec-98	
Regional News Network (RNN)	Dec-95	
Rhode Island News Channel	Sep-98	Cox (50)
R News Rochester	Jul-95	Time Warner (?)
San Diego's News Channel 15	Jan-97	
Six News Now	Jul-95	
Sunshine Network	Mar-88	Liberty Media (34.5), Cox (6 3)
Texas Cable News	Jan-99	
Tri-State Media News (TSM News)	Apr-99	Comcast (100)
Turner South (STC)	Oct-99	Time Warner (100)
TV33	Dec-95	
Victory Sports One	Oct-03	
WSBK	Feb-88	
Yankee Entertainment Sports Network (YES)	Mar-02	

Sources:

NCTA, *Regional Cable Networks*, Cable Developments 2003, at 175-201.
Radio-Television News Directors Association & Foundation, at http://www.rtnda.org/resources/nonstopnews/directory.html (visited Sept. 11, 2003).
Cablevision, at http://www.cablevision.com/index.jhtml (visited Oct. 21, 2003).

TABLE C-4
Planned Programming Services

Programming Service	Planned Launch Date, If Announced
Africast Television Network	4Q03
America National Network	Oct-03
AMC's American Pop	TBA
Anti-Aging Network	4Q03
Applause	TBA
Auto Channel	Jul-04
Beauty Channel	TBA
BET World Music Beat	TBA
Bingo TV	Sep-04
Black Education Network	Sep-04
Black Entertainment Network	TBA
Black Women's Television	TBA
Boating Channel	TBA
BOB: Brief Original Broadcasts	Feb-04
Booknet	2003
Boxing Channel	2Q04
Caribbean Visions Television	Sep-04
Chop TV	TBA
Collectors Channel	TBA
Comcast SportsNet Chicago	Oct-04
CSN (Cable Science Network)	TBA
Diversity Network	4Q02
Documentary Channel	Dec-03
Election Channel	TBA
Employment Channel	Jul-04
ESPN Deportes	Jan-04
Fad TV (Fashion & Design Television)	4Q03
Fifth Avenue Channel	TBA
Fox Enhanced TV	TBA
Florida Channel	Jul-04
Gambling Channel	2004

Programming Service	Planned Launch Date, If Announced
GETV Program Network	$Q03
Global Village Network	TBA
Government Channel	TBA
Home Improvement Channel	TBA
Honey Vision	TBA
Ice Channel	1Q04
Investment TV	TBA
Local News Network	TBA
Martial Arts Action Network	4Q03
MEN (Maverick Entertainment Network)	1Q04
Moore TV Network	Sep-03
Moviewatch	2004
Native American Nations Program Network	Sep-03
Orb TV	TBA
Performance Showcase	TBA
Premiere Horse Network	TBA
Puppy Channel	4Q03
RadioTV Network	Mar-04
Real Estate Channel	Dec-03
Real Estate Network (TREN)	TBA
Reality Central	1Q04
Seminar TV Network (Seminar TV)	4Q03
Senior Citizens Television Network	4Q04
Si TV	Feb-04
Sundance Documentary Channel	TBA
The World Cinema Channel	TBA
Theater Channel	TBA
U.S. Military Television Network	Aug-03
World Cinema	TBA
Youth Sports Broadcasting Channel	TBA

Sources:

NCTA, *Planned Services*, Cable Developments 2003, at 207-225
MultiChannel Ventures, at http://www.multichannelventures.com/about/html .
Email from Michael Gerrity, Chairman and CEO, MultiChannel Ventures, LLC, Sept. 24, 2003.
The Moviewatch Network, at http://www.moviewatch.com
Si Tv, at http.//www.sitv com/Cox_and_Time_Warner_Warner_Say_Si_TV.htm Press Release (visited Sept 23, 2003).
Senior Citizens Network ,at http://www.scntv/org (visited Oct. 28, 2003).

TABLE C-5
MSO Ownership in National Programming

Services[1]	Subs. (mil)	Liberty Media	Time Warner	Comcast	Cox	Cablevision Systems
Action Max	*[2]		100.0%			
AMC	83 9					60%
Animal Planet	81 4	39.2%			25.0%	
@Max	*		100 0%			
Black Starz!	*	100.0%				
Canales ñ (6 channels)	*	90.0%				
Cartoon Network	82.6		100.0%			
Cinemax	37.0		100.0%			
CNN	86.2		100.0%			
CNN Español	13.8		100.0%			
CNN Headline News	82.0		100.0%			
CNN International[3]	28.0		100.0%			
CNN fn	24.0		100 0%			
Court TV	75 3	50.0%	50.0%			
Discovery	86.5	50.0%			25.0%	
Discovery En Español	*	50.0%			25.0%	
Discovery Health	42.5	44.1%			25.0%	
Discovery HD Theatre	*	50.0%		20.0%	25.0%	
Discovery Home&Leisure	28.5	50.0%			25.0%	
Discovery Kids	30.0	50.0%			25.0%	
Discovery Times	28.5	50.0%			25.0%	
Discovery Wings	28.5	50.0%			25.0%	
E! Entertainment	80.4			50.0%		
Encore	20.0	100.0%				
Encore Action	*	100.0%				
Encore Love Stories	*	100.0%				
Encore Mystery	*	100.0%				
Encore True Stories	*	100.0%				
Encore WAM!	*	100.0%				

Services[1]	Subs. (mil)	Liberty Media	AOL Time Warner	Comcast	Cox	Cablevision Systems
Encore Westerns	*	100.0%				
5Star Max	*		100.0%			
Fox Sports en Espanol	5.0	10 6%				
Fuse	30.3					60.0%
Fuse On Demand	*					60.0%
G4 Video Gaming Ntwk	*			94.0%		
Game Show Network	50.5	50.0%				
Golf Channel	53.2			91.0%		
Hallmark Channel	51.3	32.5%				
HBO	38.0[4]		100.0%			
HBO Latino	*		100.0%			
HBO 2	*		100.0%			
HBO Signature	*		100.0%			
HBO Comedy	*		100.0%			
HBO Family	*		100.0%			
HBO Zone	*		100.0%			
Health Network	29.3	49.0%			25.0%	
HSN	80.0	20.0%				
iN DEMAND	28		33.0%	50.0%	15.0%	
Independent Film	26.2					60.0%
International Channel	12.5	90.0%				
More Max	37.0		100.0%			
Movie Plex	8.0	100.0%				
Outdoor Life	50.7			100.0%		
Outer Max	•		100.0%			
Ovation	6.2		4.2%			
QVC	83.4	98.0%				
Science Channel	30.0	50.0%			25.0%	
Sci-Fi	79.9	20.0%				
Starz[1]	13.5	100.0%				

Services[1]	Subs. (mil)	Liberty Media	AOL Time Warner	Comcast	Cox	Cablevision Systems
Starz! Cinema	*	100.0%				
Starz! Family	*	100.0%				
Starz! Theater	*	100.0%				
Style	29.0			60 0%		
TBS	87 7		100.0%			
TLC	84.8	50.0%			25.0%	
Thriller Max	37.0		100.0%			
TNT	86 2		100 0%			
Travel Channel	70.5	50.0%			25.0%	
TCM	63.9		100 0%			
USA	86.3	20.0%				
WE (formerly Romance)	51.2					60.0%
Wmax	*		100.0%			

Notes:

[1] In addition to cable, other MVPD services, such as wireless cable (MMDS), private cable (SMATV), satellite, including DBS and HSD or large dish service, broadcast television, and LPTV (low power television) may distribute these signals. Subscriber figures may include these non-cable services.

[2] Indicates that subscribership count is unknown or not available.

[3] CNN International subscribership of 28 million includes domestic US subscribers only. CNN International has 129 million subscribers outside the U.S.

[4] HBO subscriber numbers include HBO Latino, HBO Plus, HBO Signature, HBO Comedy, HBO Family, HBO Zone, and Cinemax, 5 Star Max, @ Max, MoreMax, ActionMax, Outer Max, Thriller Max and W Max.

Sources:

NCTA, *Directory of Cable Networks*, Cable Developments 2003, at 43-174.

Kagan World Media, *Cable Networks*, Media Mergers and Acquisitions 2003, at 73-80.

TABLE C-6
Top 20 Programming Services by Subscribership

Rank	Programming Network	Number of Subscribers (Millions)	MSO Ownership Interest in Network (%)
1	TBS	87.7	AOL Time Warner (100)
2	ESPN	86.7	
3	C -SPAN	86.6	
4	Discovery Channel	86.5	Liberty Media (49), Cox (24.6)
5	USA Network	86.3	Liberty Media (20)
6	CNN	86.2	AOL Time Warner (100)
6	TNT	86.2	AOL Time Warner (100)
8	Lifetime Television	86.0	
8	Nickelodeon	86.0	
10	A&E	85.9	
11	Spike TV (formerly TNN)	85.8	
12	The Weather Channel	85.3	
13	MTV	84.9	
13	QVC	84.9	Liberty Media (43) Comcast (57)
15	ABC Family Channel	84 8	
16	TLC	84.7	Liberty Media (50), Cox (24.6)
17	ESPN2	84.5	
18	CNBC	84.2	
19	AMC	83.9	Cablevision (60)
20	VH1	83.7	AOL Time Warner (100)

Note:

In addition to cable, other MVPD services, such as wireless cable (MMDS), private cable (SMATV), satellite, including DBS and HSD or large dish service, broadcast television, and LPTV (low power television) may distribute these signals. Subscriber figures may include these non-cable services. C-SPAN derives 97% of its revenues from affiliate fees (*i.e.*, subscriber fees from MVPDs). The remaining three percent is provided by various investments.

Source:

NCTA, *Top 20 Cable Networks*, Cable Developments 2003, at 39-40.

TABLE C-7

Top 15 Programming Services by Prime Time Rating

Rank	Programming Service	MSO with Ownership Interest (%)
1	TNT	AOL Time Warner (100)
2	Lifetime Television	
3	Disney Channel	
4	Nickelodeon	
5	TBS	AOL Time Warner (100)
6	Cartoon Network	AOL Time Warner (100)
7	USA Network	Liberty Media (20)
8	A&E	
9	Fox News Channel	
10	Discovery Channel	Liberty Media (50), Cox (24.6)
11	MTV	
12	TLC	Liberty Media (50), Cox (24.6)
13	Spike (TNN)	
14	ESPN	
15	Sci-Fi Channel	Liberty Media (20)

Source:

Kagan World Media, *Day Part Ratings Averages, Prime Time (July)*, Cable Program Investor, Sept.12, 2003, at 16.

SEPARATE STATEMENT OF
MICHAEL K. POWELL

Re: Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming

What a difference a decade makes At the close of 1993, the cable industry, holding a monopoly in nearly every local market, dominated the pay television landscape—serving nearly 95% of the market with mostly one-way analog cable systems capable of delivering thirty or so television channels In hindsight, however, 1993 would prove to be a watershed year that marked the beginning of dramatic shifts in the communications industry that would unleash a decade of benefits to the American public arising from increased competition, investment, innovation, and diversity in the video delivery and programming markets.

The transformation started in earnest that year, as we oversaw the launch of the first high-power DBS service in the United States and over the course of the decade have seen DBS services compete to whittle away cable's former near monopoly status. Today, DBS has over 21% of the pay-television market and cable's 95% share in 1993 now stands at 75 percent

Much like in the wireless and long-distance industries, the American public has been the primary beneficiary of the advancement of facilities-based competition in the television industry. Increased DBS competition to cable, the steady loss of market share, and Congress' broad deregulation of the cable industry allowed cable operators across the country to invest some $75 billion to upgrade their infrastructure into a two-way digital broadband platform. As a result, at the dawn of 2004, broadband Internet services, cable telephony services, including Internet telephony, high-definition television, personal video recorders and video on demand services are increasingly available to the public. This investment has, in turn, spurred further investment by other segments of the communications industry, most notably in the broadband Internet space as traditional telephone companies and traditional and emerging wireless providers throughout the country continue to invest in upgrading their infrastructure to compete in today's converging communications marketplace. Competition in the pay television market has had a domino effect of enhancing competition and innovation across the communications industry. In addition to these new services, competition is constraining and, at times, lowering prices (most notably in equipment costs) and forcing operators in the pay-television market to improve the quality of their service.

These benefits have been significant, but it may be that the greatest benefits stemming from the investments of DBS and cable operators over the last ten years has been the expanding diversity of programming, ideas and opinions that come across our television screens on a daily basis. Increased infrastructure investment has meant increased channel capacity and with it more diversity. The thirty channel systems of a decade ago are today cable and satellite systems offering literally hundreds of channels. It is unquestioned that this increased channel capacity has allowed the biggest of our nation's media companies to get bigger, but it is equally undeniable that it has also provided opportunities for new, independent cable networks and programmers—sparking intense competition in the video programming market as well

Big and small media companies are bringing more program diversity to more Americans, serving our individual and diverse interests in abundance. Whether your interests lie in sports, history, homemaking, Hollywood, culture, technology, politics, minority programming, religion, the outdoors or countless other categories, I believe that there is more on television today, from a greater variety of sources than at any time in history.

In addition, news, political and public discourse continues to expand on television. The last ten years has seen the rise of news networks such as BBC America, Bloomberg TV, the Fox News Channel and MSNBC as well as many others, serving, along with more established players, as outlets for opinions from across the political, social and economic spectrum. We live in a world where every debate amongst presidential candidates is now on television and where opposing viewpoints can be found making their case on the topics of the day – from segment to segment on political program to program. And as our ability to find diverse programming and viewpoints on our television screens increases, so too does the amount of local and regional programming Local cable news and sports programming continues to proliferate on cable and satellite television systems

Over this past decade Americans have responded and taken advantage of the increased competition, investment, innovation and diversity in the pay-television and programming markets. More Americans pay for television today than they did a decade ago. Today, 85% of television households (94.1 million households) pay for television, as compared to 63% of TV households (60.3 million households) in 1993. As more diverse and higher quality programming has emerged on cable and satellite systems, more people are watching. For the second year in a row (and only the second time in history), cable programming networks collectively brought more viewers to their channels throughout the day than did the seven broadcast networks and in primetime, cable networks brought in a viewing share of over 50% of all television viewers (vs. 44 7% of the seven networks). The shift in viewing should come as no surprise as the quality of cable programming has also been recognized as award nominations and wins continue to reach new heights for cable programming.

The emergence of DBS as a competitive alternative to cable, however, was not the only innovation of 1993 to forever change the video marketplace. That year also produced the commercialization of the Internet that has not only fundamentally changed the life and course of many Americans, but that will have a tremendous impact on the video delivery and programming markets in the next decade. Largely non-existent a decade ago, today, we are beginning to see the possibilities that Internet video streaming can offer and as this Commission continues its push to bring universal, affordable and competitive broadband Internet access to every American, the use of the Internet to deliver even more competitive and diverse video offerings can and should be realized in the future. This past year, for instance, sports had a banner year in Internet video streaming as Major League Baseball made over 1,500 games available over the Internet. The WNBA, and several college programs including Texas Tech and the University of Connecticut's women's basketball team have begun webcasting their games over the last year. Video streaming of news, movies and other programming have also made great strides over the past year. The Internet and broadband platforms of tomorrow should continue to provide producers of programming with increasing opportunities to serve the individual and diverse interests of the American people.

Although the past decade in the markets for pay-television and programming have produced an explosion of benefits for the American public and the decade ahead looks even brighter, our work is far from done. Despite the highly competitive nature of this industry, we must continue to provide investment opportunities for new providers of video distribution and producers of new networks and programming. We must continue to allow the Internet's innovators to bring broadband and video streaming to the masses. And, I, along with my colleagues will continue to reach out to interested stakeholders to ensure that the Commission improves and updates it data collection mechanisms to better understand this changing, competitive and dynamic marketplace. The fact remains that the United States has the most competitive and diverse media marketplace the world has ever seen and we must continue to bring the benefits of that competition and diversity to our citizenry.

**JOINT STATEMENT OF
COMMISSIONERS MICHAEL J. COPPS AND JONATHAN S. ADELSTEIN,
CONCURRING**

Re *Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming*

Congress charged the Commission in Section 628(g) with reporting annually on "the status of competition in the market for the delivery of video programming" As we release this Tenth Report, we are concerned that these Reports are becoming mere recitations of the record we receive in response to our Notice of Inquiry, rather than an in-depth analysis of the status of competition.

Congress directed the FCC to focus on competition because it recognized the power of competition to give consumers more choices, lower prices, better services, and access to more sources of content Yet, this Report fails to examine adequately the circumstances that distinguish those places where competition is occurring and those where it is not It fails to evaluate barriers to greater competition. And it fails to consider sufficiently such important issues raised in the Notice as the availability of independently-produced programming, children's programming, locally-produced programming, and non-English programming. In sum, it simply fails to delve beneath the surface

We took issue with our other Report on cable rates issued last July because the Commission conducted little analysis other than pointing out that cable rates are increasing, something most consumers already know all too well We are concerned that we may be heading down the same road with this Report

At a time of significant increases in cable rates year after year – 8.2 percent last year and 40 percent over the last five years, all significantly in excess of the rate of inflation -- Congress and American consumers deserve a better effort from the FCC.

In part, the fault lies with the limited data we received in response to our Notice We urge the Commission to undertake a more pro-active and comprehensive information gathering effort for our next Report. This Report serves as the factual foundation for many Commission decisions as well as providing Congress with statutorily-mandated information that can inform the national policy debate

None of our comments on this Report should take away from the investments that have been made by those that deliver video programming Nor do they diminish the benefits American consumers receive as new services are deployed. But, as the government's expert agency, the Commission must do more to gather accurate and complete data as well as provide the information and analysis that Congress required